

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**IN RE PAYMENT CARD
INTERCHANGE FEE AND MERCHANT
DISCOUNT ANTITRUST LITIGATION**

No. 05-md-01720-MKB-VMS

This Document Applies to:

***CenturyLink Communications, LLC, et al. v.
Visa Inc., et al., No. 19-cv-06318-MKB-
VMS (E.D.N.Y.)***

**ORDER GRANTING CENTURYLINK PLAINTIFFS’
MOTION TO MODIFY FINAL APPROVAL ORDER AND FINAL JUDGMENT
AND FOR LEAVE TO FILE AMENDED COMPLAINT**

WHEREAS, the CenturyLink Plaintiffs¹ filed a Letter Motion to Modify Final Approval Order and Final Judgment and for Leave to File Amended Complaint (the “Letter Motion”);

WHEREAS, Comcast requested exclusion from the Rule 23(b)(3) settlement class on July 18, 2019 and that request was deemed timely and complete;

WHEREAS, by Letter Motion and the accompanying Declaration of David B. Esau, Comcast has sought to amend its exclusion request after the Court entered its Order for Final Approval of the Rule 23(b)(3) Class Settlement on December 13, 2019 and its Final Judgment on

¹ The “CenturyLink Plaintiffs” consist of the following: CenturyLink Communications LLC; Level 3 Communications, LLC (“CenturyLink”); DISH Network L.L.C. (“DISH”); Casey’s General Stores, Inc.; Casey’s Marketing Company; Casey’s Retail Company; Casey’s Services Company; CGS Sales Corporation (“Casey’s”); Cary Oil Co., Inc.; Breeze Thru Markets, LLC (“Cary Oil”), Clipper Petroleum, Inc. (“Clipper Petroleum”); Energy North, Inc. (“Energy North”); Gate Petroleum Company; Gate North Carolina, Inc.; Gate Fuel Service, Inc.; BFC, Inc.; Ponte Vedra Corporation; Epping Forest Yacht Club, Inc.; The River Club, Inc.; Ponte Vedra Lodge (“Gate”); Jaco Oil Company; Basic Properties LP; Jaco Hill Company; Jamieson Hill Company; Fastrip Oil Company (“Jaco Oil”); Reid Petroleum Corp.; Reid Stores, Inc. (“Reid”); Sampson-Bladen Oil Company, Inc.; United Energy, Inc. (“Sampson-Bladen”); Sodexo, Inc. (“Sodexo”); and Comcast Cable Communications, LLC (“Comcast Cable”); and NBCUniversal Media, LLC (“NBCU”) (collectively “Comcast”).

December 20, 2019, and the CenturyLink Plaintiffs have sought to amend their complaint in certain respects and to conform the complaint and its exhibits to the amended exclusion requests;

IT IS HEREBY ORDERED, ADJUDGED, and DECREED that:

1. Comcast's amended exclusion request list of entities, attached as Exhibit A to the Declaration of David B. Esau, amends and supersedes its prior exclusion request list of entities that was submitted on July 18, 2019;
2. All entities identified in Comcast's amended exclusion request list of entities are excluded from the Rule 23(b)(3) Settlement Class;
3. All entities, if any, no longer on Comcast's exclusion request as amended are members of the Rule 23(b)(3) Settlement Class unless they were timely and validly excluded from the Rule 23(b)(3) Settlement Class by a member other than Comcast and provided that they qualify as class members; and
4. The CenturyLink Plaintiffs shall have leave to file their Third Amended Complaint with its amended exhibit attached as Exhibit C to the Declaration of David B. Esau.

Dated: 10/14/2022
Brooklyn, New York

SO ORDERED:
s/ MKB 10/14/2022

MARGO K. BRODIE
United States District Judge